

## Message Text

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64

ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-05 CIAE-00 COME-00 DODE-00

DOT-00 INR-07 NSAE-00 CIEP-02 FAA-00 L-03 TRSE-00

/037 W

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R 021049Z JG 76

FM AMEMBASSY BERN

TO SECSTATE WASHDC 2968

UNCLAS BERN 3439

E.O. 11652: N/A

TAGS: EAIR, SZ

SUBJECT: CIVAIR: TRANS WORLD AIRLINES: EXCESS BAGGAGE RATES

REF: STATE 1547460 AND BERN 2615

1. EMBASSY HAS REVIEWED FOLLOWING NOTE FROM GOS  
REGARDING CHANGE OF EXCESS BAGGAGE RATES BY TWA.

2. QUOTE (EMBASSY TRANSLATION) FEDERAL POLITICAL DEPARTMENT  
NOTE S.O. 652.21. USA. THE FEDERAL POLITICAL DEPARTMENT  
PRESENTS ITS COMPLIMENTS TO THE EMBASSY OF THE UNITED STATES  
OF AMERICA AND HAS THE HONOR TO BRING TO ITS ATTENTION  
THE FOLLOWING:

BY TELEX, JULY 12, 1976 THE COMPANY TRANS WORLD AIRLINES  
SUBMITTED FOR A SECOND TIME TO THE FEDERAL AIR OFFICE A REQUEST  
FOR THE IMMEDIATE INTRODUCTION OF A NEW EXCESS BAGGAGE RATE  
0.7 PER KILOGRAM OF THE ECONOMY CLASS FARE, WITHOUT EXPLANATION  
WHY THIS NEW TARIFF RATE WOULD BE MORE APPROPRIATE THAN THE  
EXISTING RATE.

THE PRESENT APPLICABLE RATES HAVE BEEN APPROVED BY THE AVIATION  
AUTHORITIES OF THE U.S.A. AND SWITZERLAND IN ACCORDANCE WITH  
THE PROVISIONS OF SECTION VII OF THE ANNEX TO THE  
AGREEMENT OF MAY 13, 1949 COMPLETING THE PROVISIONAL  
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AGREEMENT OF AUGUST 13, 1945 ON AIR SERVICES BETWEEN SWITZERLAND AND THE U.S.A. THESE PROVISIONS DO NOT AUTHORIZE THE CONTRACTING PARTIES TO UNILATERALLY ABOLISH RATES WHICH ARE IN FORCE AND NEW RATES HAVE NOT BEEN AGREED UPON UP TO NOW. A NEW REGULATION IS BEING PREPARED WITHIN THE IATA GROUP OF COMPANIES (INCLUDING TWA AND SWISSAIR), WHICH TAKES INTO CONSIDERATION PRESENT ECONOMIC EXIGENCIES.

IN THESE CIRCUMSTANCES, THE SWISS AVIATION AUTHORITIES, ACTING IN LIGHT OF THE PROVISIONS CITED ABOVE, CANNOT APPROVE THE NEW RATE FOR EXCESS BAGGAGE PROPOSED BY THE COMPANY TRANS WORLD AIRLINES CORRESPONDING TO 0.7 PER CENT OF THE ECONOMY FARE.

THE POLITICAL DEPARTMENT WOULD APPRECIATE THE EMBASSY INFORMING THE GOVERNMENT OF THE UNITED STATES OF AMERICA OF THE PRECEDING. IT AVAILS ITSELF OF THIS OPPORTUNITY TO RENEW TO THE EMBASSY THE ASSURANCE OF ITS HIGHEST CONSIDERATION.

BERN, JULY 19, 1976.

3. ACTION REQUESTED: PLEASE ADVISE HOW WE SHOULD REPLY TO FPD'S NOTE. FEDERAL AIR OFFICE TOLD EMBOFF GOS OBLIGED SEND DIPLOMATIC NOTE TO PRESERVE ITS POSITION UNDER BILATERAL AIR AGREEMENT.  
DAVIS

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NNN

\*\*\* Current Handling Restrictions \*\*\* n/a

\*\*\* Current Classification \*\*\* UNCLASSIFIED

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